

REMARKS

1. The October 7 Office Action has required the resubmission of the Amendment using the requisite status identifiers for the claims. This response provides the proper status identifiers and re-submits the July 8, 2004 Amendment.

2. The February 18 Office Action objected to the drawings because in Fig. 1, the number "11" should be replaced with the number "12", and reference number "12" should be replaced with "13, to be in accordance with the specification. Furthermore, Figs. 1, 3 and 7 should have the reference number "33" replaced with the number "34" to be in accordance with the specification.

In response thereto, Applicant would direct Examiner's attention to the proposed drawing corrections attached to this Office Action for which approval is courteously solicited. Upon approval of these drawing corrections, Applicant will forward formal corrected drawings to the Official Draftperson's Office.

3. The February 18 Office Action has objected to Claims 2 – 20 as having enumerated informalities. In response thereto, Application has included amendments into the claim above to overcome the specified objections. Of most noteworthy distinction are the amendments to Claims 2 – 4 to refer to the "radially outward side" and the "radially inward side" of the elbow fitting, and that the product particles are moving on the inner surface of the radially outward side of the elbow fitting. Similarly, in Claims 8, 11 and 18, reference is made that the particles are moving on the inner surface of the outer side of the elbow fitting. Applicant respectfully submits that each of the objectionable informalities identified in the Office Action

has been corrected as suggested by the Examiner. Accordingly, Applicant respectfully requests that this objection be reconsidered and withdrawn.

4. The February 18 Office Action has rejected Claims 1 – 2, 8 – 9, and 14 - 16 under the provisions of 35 U. S. C. §102(b) as being anticipated by U. S. Patent No. 6,443,671 (Weiste). The Office Action states that Weiste discloses an elbow fitting for use in a pneumatic transport system in which the inlet transition portion expands from a circular cross-section into an expanded non-circular cross-section. The Office Action further states that the Weiste fitting will inherently accumulate particles along the expanded outer side due to the expanded cross section resulting in a reduced velocity. The Office Action also states that the Weiste fitting includes an increase in depth measured from the inner side of the fitting, as well as an increase in width. This rejection is respectfully traversed.

With respect to the rejection of Claims 1 and 2, Applicant would direct the Examiner's attention to the amendments to Claim 3 to incorporate the limitations of independent Claim 1, thus rendering Claim 3 into an independent claim. Claim 2 was amended to change the dependency from Claim 1 to Claim 3. As is noted below, the Office Action has indicated that Claim 3, directed to the generally triangular shape of the expanded cross-section of the fitting, is allowable.

With respect to the rejection of Claims 8 and 9, Applicant would also direct the Examiner's attention to the amendments to Claim 8 to specify that the product particles are flowing into the elbow fitting in a dilute phase, accumulate in the expanded cross-section in a dense phase, and discharge from the fitting in a dilute phase. Furthermore, Applicant would

direct the Examiner's attention to the limitations specifying that the depth of the elbow fitting increases into the outer side of the fitting.

The Weiste reference is directed to a pneumatic particle conveying system in which uniform dispersion through the elbow fitting is essential in its operation. To obtain this uniform dispersion, Weiste sacrifices particle damage by intentionally forcing the particles to bounce of the interior surfaces of the fitting. Accordingly, Weiste contains no teaching or suggestion for the smooth transition of the flow of particles through the elbow fitting by allowing the incoming particles to bounce off of an accumulated layer of particles along the inner surface of the outer wall of the fitting. Furthermore, Weiste does not contain any teaching or suggestion as to the accumulation of product particles in a dense phase within the elbow fitting. Lastly, Weiste clearly does not teach an expansion of the depth of the cross-section of the fitting into the outer side of the fitting. Actually, looking at Figs. 2, 3 and 5 of Weiste, the teaching is clearly of a reduction in the depth of the cross-section. Weiste simply converts from a circular inlet cross-section into a rectangular transition cross-section so as to cause the particles to bounce around within the fitting to maintain a uniform dispersion of the particles when discharged through the circular outlet section.

Accordingly, Applicant respectfully submits that Claims 8 and 9, as amended, define an elbow fitting that cannot be anticipated or made obvious by the Weiste reference.

With respect to Claims 14 – 16, Applicant respectfully submits that independent Claim 14, as originally submitted, defines an elbow fitting that cannot be met or made obvious by the Weiste reference. More particularly, Claim 14 defines the elbow fitting as expanding in depth into the outer side of the fitting, while the inner side maintains its mating relationship with the inlet portion of the inlet pipe. Clearly, Weiste teaches a reduction of the depth of the cross-

section. Furthermore, the Weiste cross-section does not maintain its mating relationship with the inlet pipe, as the rectangular cross-section reduces from both the top and the bottom of the pipe. Lastly, there is no teaching within Weiste that the cross-section expands from the circular cross-section to the rectangular cross-section, only that the shape of the cross-section changes. Since the depth of the Weiste cross-section clearly reduces, although apparently widens with respect to the circular cross-section, the total cross-section may not even expand at all. Weiste teaches that the particles are intended to bounce around within the curved transition area of the fitting so as to attain a uniform dispersion of the particles within the outlet pipe from the fitting, whereas Applicant's fitting works just the opposite to keep the particles from bouncing around.

In view of the amendments and arguments set forth above, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

5. The February 18 Office Action has indicated that dependent Claims 3 – 6, 10 – 13 and 17 - 20 contain allowable subject matter. Applicant respectfully submits that the limitations of Claim 3 have been incorporated into Claim 1. Applicant, however, would prefer to retain the remaining dependent Claims in their respective independent form, amended to overcome the objections over informalities noted above. Accordingly, Applicant courteously solicits the allowance of all remaining claims.

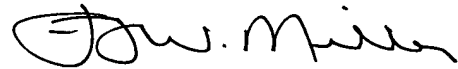
6. In summary, Claims 2 – 4, 6, 8, 10, 11, 14, 15 and 18 have been amended, Claim 1 has been canceled, and Claims 2 - 20 remain in the application. Applicant believes that the claims are allowable based on the foregoing amendments. Applicant respectfully requests that

all objections and rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,

Date: October 12, 2004



Larry W. Miller, Reg. No. 26,417
Attorney for Applicant
Miller Law Group, PLLC
25 Stevens Avenue
West Lawn, PA 19609
Phone: 610-670-9000